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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,	)	CASE NO. 18-MJ-70219 MAG
	)	
14 Plaintiff,	)	
	)	STIPULATION AND <del>PROPOSED</del> ORDER
15 v.	)	CONTINUING PRELIMINARY HEARING AND
	)	EXTENDING TIME UNDER RULE 5.1
16 JAMIE TABATABAI,	)	
	)	
17 Defendant.	)	
	)	

18  
19 The United States of America, through Andrew F. Dawson, Assistant United States Attorney,  
20 and the defendant, Jamie Tabatabai, through his counsel, hereby stipulate to continue the preliminary  
21 hearing in this matter from June 15, 2018, to July 20, 2018 at 9:30 a.m. before the Duty Magistrate. The  
22 defendant agrees that good cause exists to extend the time limits of Rule 5.1(c) to July 20, 2018.

23 The parties agree that good cause exists, taking into account the public interest in the prompt  
24 disposition of criminal cases, to extend the time for the preliminary hearing to July 20, 2018. The  
25 parties hope to discuss a resolution of this matter and are hopeful that such a resolution might be reached  
26 without burdening Court with further proceedings after indictment. The government has produced a  
27 substantial quantity of discovery to the defendant, including linesheets and recordings associated with  
28

1 multiple federally authorized wiretaps. The parties are hopeful that they can reach a resolution prior to  
2 July 20, 2018. The parties further note that the defendant has been released on bond.

3 The parties also agree that an exclusion of time is appropriate under the Speedy Trial Act  
4 between June 5, 2018, and July 20, 2018 for purposes of the effective preparation of counsel, and to  
5 permit counsel to conduct an investigation and consult with the defendant. In addition, the defendant  
6 agrees to exclude for this period of time any time limits applicable under 18 U.S.C. § 3161. The parties  
7 also agree that the ends of justice served by granting such a continuance outweigh the best interests of  
8 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

9 Respectfully submitted,

10 ALEX G. TSE  
11 Acting United States Attorney

12 Dated: June 12, 2018

13 /s/  
ANDREW F. DAWSON  
Assistant United States Attorney

14 Dated: June 12, 2018

15 /s/  
GIL EISENBERG  
Attorney for JAMIE TABATABAI

1 **~~[PROPOSED]~~ ORDER**

2 Based upon the representation of counsel and for good cause shown, the Court finds that good  
3 cause exists, taking into account the public interest in the prompt disposition of criminal cases, for  
4 extending time under Rule 5.1 and continuing the preliminary hearing from June 15, 2018, to July 20,  
5 2018.

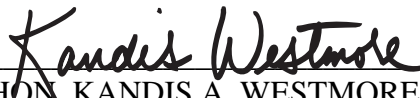
6 Therefore, IT IS HEREBY ORDERED that:

7 (1) The preliminary hearing or arraignment date is continued to July 20, 2018, at 9:30 a.m.  
8 before the Duty Magistrate;

9 (2) Good cause exists to extend the time for the preliminary hearing under Rule 5.1 to July  
10 20, 2018; and

11 (3) The time until July 20, 2018 shall be excluded from computation of any time limits under  
12 the Speedy Trial Act.

13  
14  
15  
16  
17 DATED: 6/12/18

  
HON. KANDIS A. WESTMORE  
United States Magistrate Judge